

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

VON RO CORPORATION,

Debtor.

ORDER GRANTING LEAVE TO
COUNSEL TO WITHDRAW FROM
REPRESENTATION OF CERTAIN
DEFENDANTS

STEPHEN J. CREASEY, TRUSTEE,

Plaintiff,

BKY 13-34910

v.

ADV 14-3162

MARK J. MIMBACH;
M. J. MIMBACH, INC.;
SPIRE CREDIT UNION, fka
Greater Minnesota Credit
Union; and JOHN DOE 1-x,
JANE DOE 1-x, ABC
CORPORATION,

Defendants.

At St. Paul, Minnesota
February 18, 2015.

This adversary proceeding came before the court on February 18, 2015, on the motion of Brian F. Kidwell, Esq., for leave to withdraw as counsel for Defendants Mark J. Mimbach and M. J. Mimbach, Inc., and for expedited hearing on the motion. Brian F. Kidwell appeared on his motion.

No response to the motion was filed. Immediately before the hearing was convened, a person identifying himself as Mark Mimbach called chambers. He was linked to the courtroom by telephonic conference and the hearing was convened with him appearing by that means.

The court heard both participants and then read rulings in disposition of the motion on the record. The motion was granted in both of its aspects.

NOTICE OF ELECTRONIC ENTRY AND FILING ORDER OR JUDGMENT Filed and Docket Entry made on 02/18/2015 Lori Vosejpka, Clerk, By JRB, Deputy Clerk
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Acting *sua sponte*, the court imposed a further condition to minimize any possibility of prejudice to Defendants Mark J. Mimbach and M. J. Mimbach, Inc., from counsel's withdrawal. The deadline for their submission of answers to the Plaintiff's complaint was further extended from that date (March 2, 2015) last obtained by attorney Kidwell from the Plaintiff's counsel. This was done specifically to enable the two defendants enough time to retain a successor attorney or attorneys for their defense, as Mark Mimbach requested.

On the record thus made,

IT IS HEREBY ORDERED:

1. The motion for expedited hearing is granted.
2. Brian F. Kidwell, Esq., is granted leave to withdraw from his representation of Mark J. Mimbach and M. J. Mimbach, Inc., effective the date of this order.
3. Defendants Mark J. Mimbach and M. J. Mimbach, Inc., shall have until *March 13, 2015*, to timely file their answer(s) to the Plaintiff's complaint. ***Those Defendants are on notice that they may be subject to entry of judgments against them by default, on motion of the Plaintiff, if they do not file their answer(s) by March 13, 2015.***

BY THE COURT:

/s/ Gregory F. Kishel

GREGORY F. KISHEL
CHIEF UNITED STATES BANKRUPTCY JUDGE